



MEMO ENDORSED

A PROFESSIONAL CORPORATION

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August 22, 2008

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VIA ECF

The Honorable Cathy Seibel
United States District Court Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

*Your case is now closed -
with leave to reopen within
thirty (30) days to surface the
terms of the settlement agreement.
Sd. Judge
Cathy Seibel 8/27/08
USDS*

Re: Encompass Insurance Co. a/s/o Juan Polanco and Martina Fernandez v. DeLima
Contractors, Inc., et. al.
Index No.: 07 CV 3857
Our File No.: 167575

Dear Judge Seibel:

As Your Honor is aware, Cozen O'Connor represents Encompass Insurance Company, the plaintiff in the above-captioned action. I am writing to inform the Court that the above-referenced matter has settled.

Once the settlement proceeds have been received, the parties will file a Stipulation of Dismissal.

The Honorable Cathy Seibel
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On behalf of my client and defense counsel, I would like to thank Your Honor for your time and attention to this matter.

Respectfully submitted,

COZEN O'CONNOR


By: John B. Galligan

JBG/kw

cc: Stephen C. Cunningham, Esq. (VIA ECF)
Lustig & Brown, LLP

Mario DeMarco, Esq. (VIA ECF)

John J. Phelan, Esq. (VIA ECF)
Law Offices of John Phelan